



LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 ODAWA CIRCLE, HARBOR SPRINGS, MI 49740

TRIBAL COUNCIL TRAVEL REPORT NARRATIVE

From: Marcella R. Reyes

Date: September 5 – 7, 2018

Re: Wisconsin Indian Law Conference – Milwaukee, WI

Miigwech to the Tribal Citizens of LTBB and my fellow Tribal Councilors for allowing me the opportunity to attend this informative and worthwhile conference.

Thursday, September 6, 2018 / Day One

7:30 – 8:00am Registration

8:00 – 8:10am Welcome / Opening Remarks

8:10 – 9:00am Legislative Update

Atty. Thomas Springer, Quarles & Brady LLP

Discussed the Tribal Labor Sovereignty Act and how it is being used as a “Political Leverage Bill”; Senate Bill 140, is unrelated and non controversial bill to help the White Mountain Apaches with critical drinking water; Thomasina E. Jordan Act (PL 115-121) Virginia has 6 tribes (State recognized ONLY) – prohibits gaming under any circumstance; S. 1285 Oregon Tribal Economic Development Act; AB-118 Burial Site Preservation Legislation, attempts to weaken the Burial Site Preservation Law. “Grave markers” now include Indian mounds in

*the definition and more than 10 feet around site is protected); AB-114 Battery to a Tribal Judge is a Class H Felony and includes Tribal Judge, Prosecutor and Law Enforcement Officer.; AB-499 Mining Moratorium Repeal affects **Ground water standards, Wetlands, Bulk sampling, Permit approved timeline, High capacity wells, Review process & Financial assurance requirements.** Act 134 makes changes to Wisconsin law specifically targeted towards non ferrous mining.*

9:00 – 9:50am	Case Law Update Atty. Brian Pierson, Godfrey & Kahn S.C. <i>See attachments</i>
9:50 – 10:10am	Break
10:10 – 11:00am	<i>United States v. Washington</i> Impact Across Indian Country Atty. Colette Routel, Professor, Mitchell Hamline School of Law <i>See attachments.</i>
11:00 – 11:50am	Tribal Opportunities for Developing Renewable Energy Atty. John Clancy, Godfrey & Kahn S.C. <i>See attachments.</i>
12:00 – 1:00pm	Complimentary Lunch
1:00 – 1:50pm	Panel Discussion: The <i>Upper Skagit</i> Decision and Other Recent Developments in Tribal Sovereign Immunity <i>See attachments.</i> Atty. Colette Routel, Professor, Mitchell Hamline School of Law Atty. Martina Gast, Forest County Potawatomi Legal Department Moderated by Atty. Brian Pierson, Godfrey & Kahn S.C.
1:50 – 2:40pm	Indian Tax Law Update <i>See attachments.</i> Telly J. Meier, Field Operations Manager, Indian Tribal Governments/Tax Exempt Bonds Atty. Robert R. Yoder, Yoder & Langford, P.C.
2:40 – 3:10pm	Break
3:10 – 4:00pm	ICWA Update <i>See attachments.</i>

Atty. Nicole Homer, Ho-Chunk Nation Department of Justice

4:00 – 4:15pm Wrap Up Day One

4:30 – 6:30pm Welcome Reception

Sponsored by Forest County Potawatomi Legal Department

Friday, September 7, 2018 / Day Two

8:00 – 8:10am Welcome / Opening Remarks

8:10 – 9:00am Tribal Economic Development ***See attachments.***

Atty. Samantha Skenandore, Quarles & Brady

Power point presentation on “Structuring the Separation of Business from Government”.

John Hosman, FS Advisors, Inc.

Power point presentation on “New Market Tax Credit Program”. The NMTC is taken by the investor over a 7-year period, Tribal LLC remains compliant for that 7-year period and there is no repayment. NMTC can be used for a project that does NOT produce revenue such as a Judicial Center. Stated to get the ball rolling a Tribal Councilor brings an idea to Tribal Council, gets “buy-in” from their colleagues and brings the project forward to SUCCESS!! Success NEEDS an Attorney well versed and knowledgeable with NMTCs, a Compliance person and a Finance Person. Encouraged everyone to check the Baker Tilly website for additional information on NMTCs.

Atty. Jeff Crawford, Forest County Potawatomi Community

Power point presentation on “Tribal Economic Diversification and what this means to the Forest County Potawatomi Community”. 1) Develop non-gaming businesses (they own a Marriott Residence Inn in D.C.) 2) Potawatomi Business Development Corporation (Tasked with 6 Federal Operations, 3 Commercial Operations and 6 Passive Investments) 3) Renewable energy initiatives (Project Greenfire – Bio Digester near their casino in Milwaukee & Solar Photovoltaic Systems funded by NMTCs, CRED funding, Energy Grants, tax benefits through a Section 1603 Grant & self funding). YOU NEED GOOD GRANT WRITERS!!! Critical components to sustaining economic momentum are hire good people, have a plan, have a process, have a budget and be disciplined.

9:00 – 9:50am CBD Ventures in Wisconsin Indian Country: A Panel Discussion ***See***

attachments.

Atty. Jeff Cornell, St. Croix Chippewa Indians of Wisconsin

*Power point presentation on “Wisconsin Tribes in The Hemp Industry”. This presentation begins by laying out the State of Wisconsin Actions as it relates to CBD possession, followed by the Federal Activity and what the St. Croix actions were during this time and what they learned. * Transparency and open lines of communication were appreciated and produced results. CBD is more understood by many in legislative roles today, however, enforcement agencies are reluctant to follow. * The state’s continues concerns for tribes’ in the hemp industry is that of certifying product, off-reservation trade and TAXATION. * Lobbying works. * WORK WITH EXPERIENCED OUTSIDE COUNSEL!!!* My takeaways from this...there is a lot of room for tribes in the patent process ie; GROW, PROCESS, PACKAGE, DISTRIBUTE, create partnerships, buy from established hemp farmer vs growing it yourself. Changing the law at State & Federal levels requires LOBBYING!!!

Atty. Timothy Purdon, Robins Kaplan LLP

Moderated by Atty. Eric Lochen, Standing High Lochen LLP

9:50 – 10:10am **Break**

10:10 – 11:00am Opioids Epidemic in Indian Country: A Panel Discussion ***See attachments.***

Atty. T. Roe Frazer II, Frazer PLC

Atty. Philomena Kebec, Great Lakes Indian Fish & Wildlife Commission

Ho-Chunk Nation Chief Judge Jo Deen B. Lowe, Ho-Chunk Nation Judiciary
Branch

Opioid related convictions are hindering housing. (How will this affect a housing plan?) There is a Multi District Litigation, time to file is running out however a “limited fund” means there is little to no money available. Since 2015 Alcohol related births have decreased while the Heroin, Prescription drugs and Methamphetamine addicted births have increased.

11:00 – 12:00pm Ethics Panel: Tribal Elections ***See attachments.***

Atty. Dennis Puzz, Stockbridge Munsee Indian Community

Atty. Aaron Loomis, Forest County Potawatomi Community Deputy Attorney
General

